

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WADE MASON : CIVIL ACTION  
 :  
 v. :  
 :  
 :  
 DOCTOR PEIRCE, et al. : NO. 13-2498

M E M O R A N D U M

O'NEILL, J.

JULY 12, 2013

Plaintiff, Wade Mason, was given leave to file an amended complaint by Order dated May 9, 2013. Plaintiff has submitted two amended complaints (Document Nos. 8 and 9). For the following reasons, his amended complaints will be dismissed pursuant to 28 U.S.C. § 1915(e).

In his original complaint, plaintiff was suing the George W. Hill Correctional Facility and the medical department and medical records department at the prison, and several members of the staff at the prison regarding incidents that allegedly occurred in 2007 and 2009. In this Court's Order of May 9, 2013 (Document No. 2), plaintiff was instructed to submit an amended complaint to the Court in which he was to state how each of the defendants violated his constitutional rights, when the events giving rise to his claims occurred and the harm that he suffered, if any, from the actions of each defendant. Apparently in response to that Order, and after the thirty (30) day period to respond had expired, plaintiff submitted his amended complaints.

In plaintiff's first amended complaint (Document No. 8), he alleges that a defendant owes him money for goods that he delivered during the period from August 14, 2009 to May 8, 2013.

In his second amended complaint (Document No. 9), he alleges that a defendant hit him with a car on May 8, 2013, in Boston, Massachusetts.

In order to bring suit under § 1983, plaintiff must allege that a person acting under color of state law deprived him of his constitutional rights. West v. Atkins, 487 U.S. 42 (1988). There are no allegations in these amended complaints that would allow this Court to find that any defendant has violated plaintiff's constitutional rights. Furthermore, the amended complaints do not contain any factual information connected to the events that plaintiff mentioned in his original complaint. Finally, because plaintiff's inmate account statement shows that he was incarcerated in May of 2013, it does not seem likely that he was in Boston, Massachusetts on May 8, 2013, or that he was delivering goods to someone on that date.